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Application No. : 09/993,808 Confirmation No. 8538 JUN 29 2004
Applicant : William J. Gordon-Kamm
Filed : 11/06/2001
TC/A.U. : 1638
Examiner : Collins, Cynthia E.
Docket No. : 1146
Customer No. : 27310
Title : Cell Cycle Nucleic Acids, Polypeptides and Uses Thereof

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement of June 6, 2004, Applicants elect with traverse Group I, Claims 1-11 and 13, drawn to isolated nucleic acids and Group (A) which is SEQ ID NO: 1 and a polynucleotide encoding SEQ ID NO: 2. The right to pursue examination of the non-elected claims in continuation or divisional applications is reserved. Reconsideration of the restrictions in this case is respectfully requested.

REMARKS

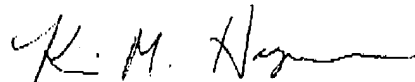
Under MPEP 803 the Examiner is requested to examine claims to independent or distinct inventions if the examination does not place an undue burden on the Examiner. It is submitted that the isolated nucleic acids and the methods of use are sufficiently related so as to be examined in one application.

Serial No. 09/993,808
Response Dated 06/29/2004
Reply to Office Action of 06/04/2004

Applicants specifically point out that Group (A) which is SEQ ID NO: 1 and a polynucleotide encoding SEQ ID NO: 2 and Group (C) which is SEQ ID NO: 5 and a polynucleotide encoding SEQ ID NO: 6 are closely related. The nucleic acid represented in SEQ ID NO: 1 has 89.9% identity, using GAP Creation Penalty= 8, Extension Penalty=2, to the nucleic acid represented by SEQ ID NO: 5. The two sequences also contain a conserved domain. Attached is a copy of an alignment between SEQ ID NO: 1 and SEQ ID NO: 5 with the conserved domain identified by a box. It is therefore submitted that groups (A) and (C) are closely related so as to be combined without undue burden.

Therefore, the Applicants respectfully request the reconsideration and withdrawal of the restriction requirement and allow Group (A) and (C), within Group I, to be examined in one application.

Respectfully submitted,



Kim M. Hagemann
Agent for Applicants
Registration No. 52,982

PIONEER HI-BRED INTERNATIONAL, INC.
Corporate Intellectual Property
7100 N.W. 62nd Avenue
P.O. Box 1000
Johnston, Iowa 50131-1000
Phone: (515) 248-4878
Facsimile: (515) 334-6883

Pretty Results

Plurality: 2.00 Threshold: 1 AveWeight 1.00 AveMatch 1.00
AvMisMatch 0.00

Consensus Sequence

Symbol comparison table: pileupdna.cmp CompCheck: 6876

GapWeight: 5
GapLengthWeight: 1

FileUp MSF: 1445 Type: N June 23, 2004 16:20 Check: 7089 ..

Name: CKI_B Len: 1445 Check: 5375 Weight: 1.00
Name: CKI_D Len: 1445 Check: 1714 Weight: 1.00

```
//
1 50
Seq. 10:1 CKI_B ----- ccaacgcgcgc ggacgcgaagc ggctgcagggc
Seq. 10:5 CKI_D cccacgcgcgc cgagtcgaat ccaaagcgca agcggctgca gccgcagggc
Consensus ----- CCA-----C- -G--GC---- G-CTGCAGGC

51 100
CKI_B agcagcgccgc cgcagggcgtt gtggcctgtg ggagaggaaa aagagaaaga
CKI_D agcagcgccgc aggcgtggga gtggcctgtg gggagtgga gtgaaaaaga
Consensus AGC--CCC-- -G--G--G-- GTGGCC---- GG----G--A --GA-AAAGA

101 150
CKI_B ggaaccggcc aagacaagca agcgagagggc cag.....g gccgcggcgt
CKI_D ggaaccggcc aagagaagca agcgagaaga aggcagtgct gcggcgccgt
Consensus GGAACCGGCC AAGA-AAGCA AGCGAGA-G- --G----- GC-GCGCGCT

151 200
CKI_B agcgccagat ggggaagtac atgcgcagc gcagggggcgc cgcagggcgc
CKI_D tccgtaagat ggggaagtac atgcgcagc gcaggggggc cgcggggcgc
Consensus T-CGT-AGAT GGGGAAGTAC ATGCCCAAG- GCAGGGG-GC CCG-GCGG-G

201 250
CKI_B gaggccgcgc ccgtcgaggt tacgcaggc gtccggcgtcc ggacgaggtc
CKI_D ggggaggcgc cagtcgaggt ctgcaggtc gtccggcgtcc ggacgaggtc
Consensus G-GGT-GCCG C-GTCGAGGT --CGCAGGTG GTCCGCGTCC GGACGAGGTG

251 300
CKI_B caggccgcgc gcggcgac.. .cggcggtgt cgcgaaggtc gccccgagga
CKI_D caggccgcgc gcggcgaccg gcggcggtgt cgcgaaggtc gccccgagga
Consensus CAGC-CGCGG GCGGCGAC-- -CGCGGTTGT CGCGAAGGTC CC-CGG--GA

301 350
CKI_B ggaaga.... .gggcgc gcggggggag
CKI_D ggggaagaa ggcgctgtgt cccgcgcgc agtgagcgc gtcgggggag
Consensus GGA-GA---- ----- -G-CG-C G-CGGGGGAG
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Serial No. 09/993,308

Attorney Docket No. 1146

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351                                     400
CKI_B cctgctgccg ccgtgagcgc tgggtggggac ggcggaa... gctgctacat
CKI_D cctggg gccg tggggcgtgg tgggtgggggc ggcgggaagct gctgctacat
Consensus CCTG-TCGG --G----G- TGGTGGGGAC GCGGAA--- GCTGCTACAT

401                                     450
CKI_B ccacctgccg agccgcctgc tgggtcaggg accgcctcag ccgcagccgt
CKI_D ccacctgccg agccgcctgc tgggtcaggg accgcctcag ccgcagccgt
Consensus CCACCTGCG- AGCCGCATGC TGGTCAATGGC A-C-CCTCAG C-GCA-CCGT

451                                     500
CKI_B cgggtgacgc ggttcgcgacc ccgggtggagg ctgctgctgg cgttcgcagga
CKI_D cgg.....c ggttcgcgacc ccgggtggagg ctgctgctgg ggcacaccaa
Consensus CGG-----C GG-TC-GAC- CCGGTGGAGG CTGCTG-TG- -GC-----A

501                                     550
CKI_B cagcagggcg cggcgctcgc ggcggggctc tggcggttgc ccagcacggc
CKI_D ggcgggggtg tggcgctcgc ggcggggctc tggcggttgc ccagcacggc
Consensus -----GC--C -GGCGCTCGC GGC-GG-CTC TCGCGTTCCT CCAGCACGGC

551                                     600
CKI_B gtctgcggcg aacttgggct tgggggggca gcgcgggagc cactacgtgc
CKI_D gtctgcggcg gacgt..... ..cgggggc cactacgtgc
Consensus GTCTGCGGTG -AC-T----- ---CGGG-GC CAC-CCTGCC

601                                     650
CKI_B gctcctacga cgttcgcagc gctggcgggg atcagctcct ggtggatgct
CKI_D gctcctacga cgttcgcagc ggttcgcagc ggttcacgt cctggatgct
Consensus GCTCC-ACG- -GC--C-G-C G--G--G--G ---A---C-T ---GGATGTC

651                                     700
CKI_B tggcggggga gcaactcggg gagcgcccca gaccgcgaga ggcgagagac
CKI_D tggcggggga gcaactcggg gagcgcccca gaccgcgaga ggcgagagac
Consensus ----C-GCGA GCAACTC-GG GAGCG-CCC- GACCGCGAGA GG-GAGAGAC

701                                     750
CKI_B gacgcca... tggagccggg cgca...cgg cgagctcagc gatctggagt
CKI_D gacgcca...c tggagccggg cgca...cgg cgagctcagc gatctggagt
Consensus GACGCCA--- TCGAGCCGGG CGCA---CGG CGAGCTCAGC GATCTGGAGT

751                                     800
CKI_B cggatctggc gg...ggcac aagactggc. ....cggc gctaccggcg
CKI_D cggatctggc gggggggcag aagactggc gctcgtcgtc ggggggaca
Consensus CGGATCTGG- GG---GGCA- AAGACTGGC- -----CGTC GC---CG-C-

801                                     850
CKI_B gcaacgcggc ctggcgagct gacgctggcg ccagcacacg agatccagga
CKI_D acaacatcgg ctggcgagct gatcgtggcg ccagcacacg agatccagga
Consensus -CAAC--CGG CTGCGGAGCT CATCGTGCGG CCAGCACA-G AGATCCAGGA

851                                     900
CKI_B gctcctcggc ggcgcggagg cggcccgagg caagcgcttt gctccaaagt
CKI_D gctcctcggc ggcgcggagg cggcccgagg caagcgcttt gctccaaagt
Consensus -TCTCTCGC- GCGGC-----

901                                     950
```

CKI_B acaacttcga cttcggtcgc ggcgtgcgcc ccgacgcgcg cggccgggttc
CKI_D -----
Consensus -----

951 1000
CKI_B gagggggggc cgggtgggcag catctgaaac gagcgtgcgt ccggtgcaag
CKI_D -----
Consensus -----

1001 1050
CKI_B ggggaagctag aaagagaaaa gatgcgcgcc cccccccccc ccaacaaaca
CKI_D -----
Consensus -----

1051 1100
CKI_B laacggagaa gagaaaaaac aaacacacaa gcagctttat atagcctaag
CKI_D -----
Consensus -----

1101 1150
CKI_B caaacaccca ccattcactc cgtccaaaag catgccttgc tttctctcgg
CKI_D -----
Consensus -----

1151 1200
CKI_B agctagcagg agcgtagila llaallagla ctactttact tatrcagagg
CKI_D -----
Consensus -----

1201 1250
CKI_B ttctcttgac ccgatagat caatccgctt acgtgtgaal ttctctcatg
CKI_D -----
Consensus -----

1251 1300
CKI_B catctcttag atggagctta atcgcctbaa ttctattactg tacagcagct
CKI_D -----
Consensus -----

1301 1350
CKI_B tgggtggcct gcaaagaaag atctggcttg tctcaaaaaa aaaaaaaana
CKI_D -----
Consensus -----

1351 1400
CKI_B aaaaaaaaaa aagggggggc gctcragagg atccaagctt acgtacggct
CKI_D -----
Consensus -----

1401 1445
CKI_B gcaagcgaag tcatagctct tctatagctt caacctaaatc catctc
CKI_D -----
Consensus -----

PTO/SB/21 (04-04)

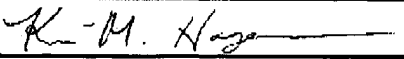
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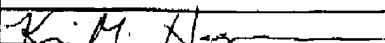
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		Filing Date	06/29/2004
		First Named Inventor	William J. Gordon-Kamm
		Art Unit	1638
		Examiner Name	Collins, Cynthia E.
Total Number of Pages in This Submission	6	Attorney Docket Number	1146

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ATTORNEY DOCKET NO. 1146

DATE: 06/29/04 FAX NUMBER: (703) 872-9306

NUMBER OF PAGES FOLLOWING THIS SHEET: 7

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